



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

such witness' credibility; the entire testimony for the state being that of accomplices.

[Ed. Note.—For other cases, see Witnesses, Cent. Dig. § 1183; Dec. Dig. § 366.\* 13 Va.-W. Va. Enc. Dig. 969, et seq.]

**3. Criminal Law (§ 511\*)—Testimony of Accomplices—Corroboration.**—The testimony of one accomplice cannot be corroborated by the testimony of another accomplice, though the jury may convict on the uncorroborated evidence of an accomplice.

[Ed. Note.—For other cases, see Criminal Law, Cent. Dig. § 1137; Dec. Dig. § 511.\* 1 Va.-W. Va. Enc. Dig. 77.]

**4. Criminal Law (§ 510\*)—Evidence—Testimony of Accomplices—Effect.**—The jury may convict on the uncorroborated testimony of an accomplice.

[Ed. Note.—For other cases, see Criminal Law, Cent. Dig. §§ 1124-1126; Dec. Dig. § 510.\* 1 Va.-W. Va. Enc. Dig. 77.]

Error to Circuit Court, Buckingham County.

Richard Perkins and Ed. Jones were convicted of murder, and bring error. Reversed and remanded.

*A. S. Hall*, for plaintiff in error Perkins.

*A. S. Hall* and *A. E. Strode*, for plaintiff in error Jones.

*Samuel W. Williams*, Atty. Gen., for the Commonwealth.

---

#### WRIGHT v. COMMONWEALTH.

Jan. 12, 1911.

[69 S. E. 956.]

**1. Criminal Law (§ 1092\*)—Writ of Error—Record—Bill of Exceptions—Time for Filing.**—Under a statutory provision that any bill of exceptions may be tendered to the judge and be signed by him, either during the term of court or in vacation, within 30 days after the end of the term, or at such other time as the parties, by consent entered of record, may agree upon, an order allowing a prisoner 60 days from the adjournment of court within which to file his bills of exceptions, but failing to show that the 60 days was agreed upon and entered of record by consent of parties, is insufficient to authorize the filing of the bills of exceptions more than 30 days after the end of the term.

[Ed. Note.—For other cases, see Criminal Law, Cent. Dig. § 2852; Dec. Dig. § 1092.\* 5 Va.-W. Va. Enc. Dig. 388.]

**2. Criminal Law (§ 1092\*)—Writ of Error—Record—Amendment or Correction.**—An order allowing a prisoner 60 days from the adjournment of the term within which to file his bills of exceptions

---

\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexe .

cannot be amended after the adjournment of the term to show that it was made by the consent of the parties entered of record; there being nothing in the record by which the amendment can be made.

[Ed. Note.—For other cases, see Criminal Law, Dec. Dig. § 1092.\* 5 Va.-W. Va. Enc. Dig. 388.]

**3. Courts (§ 116\*)—Records—Amendment—Power of Court.**—During the term of a court at which a judicial act is done the record remains in the breast of the court, and may be altered or amended; but after the adjournment of the term amendments can only be made in cases in which there is something in the record by which they can be safely made, and not on the individual recollection of the judge, or on evidence aliunde.

[Ed. Note.—For other cases, see Courts, Cent. Dig. § 372; Dec. Dig. § 116.\* 1 Va.-W. Va. Enc. Dig. 349.]

Error to Circuit Court, Buckingham County.

W. Dallas Wright was convicted of murder, and brings error. Affirmed.

*Jno. L. Lee, A. E. Strode, and A. S. Hall*, for plaintiff in error.  
*Samuel W. Williams, Atty. Gen.*, for the Commonwealth.

---

PORTSMOUTH COTTON OIL REFINING CORPORATION *v.*  
OLIVER REFINING CO.

Jan. 12, 1911.

[69 S. E. 958.]

**1. Judgment (§ 570\*)—Bar of Action—Retraxit.**—A plaintiff, who brought suit in the courts of a sister state to recover from defendant and a third person on a cause of action, and who was allowed to dismiss the action as to defendant, with costs to defendant, on his motion, alleging the ground that it had discovered that it was not entitled to recover in the action against defendant, and had no claim against defendant, but that it looked solely to the third person, was not thereby barred from subsequently suing defendant on the same cause of action; the facts not amounting to a retraxit, but only to a discontinuance against defendant.

[Ed. Note.—For other cases, see Judgment, Cent. Dig. § 1045; Dec. Dig. § 570.\* 4 Va.-W. Va. Enc. Dig. 704, 723.]

**2. Contracts (§ 169\*)—Construction.**—The court, in construing an agreement, must look at the language employed, the subject-matter, and the surrounding circumstances.

[Ed. Note.—For other cases, see Contracts, Cent. Dig. § 752; Dec. Dig. § 169.\* 7 Va.-W. Va. Enc. Dig. 858, et seq.]

**3. Sales (§ 89\*)—Contracts—Construction.**—A contract for the

---

\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.